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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

|                         |   |  |
|-------------------------|---|--|
| <b>IN RE:</b>           | ) | <b>Bankruptcy No. 18-21728 -CMB</b>                              |
|                         | ) |  |
| <b>ANDREW F. KUZY</b>   | ) | <b>Chapter 11</b>  |
| <b>COLLEEN A. KUZY,</b> | ) |  |
|                         | ) |  |
| <b>Debtors.</b>         | ) | <b>Related to Doc. Nos. 164, 165, 166, 177,<br/>223, and 225</b> |

**ORDER**

**AND NOW**, this **25th** day of **February, 2021**, after the hearing held on February 23, 2021, on the confirmation of the Plan dated November 14, 2020 (Doc. No. 164), and the Chapter 11 Trustee having requested a “cramdown” hearing pursuant to 11 U.S.C. §1129(b) as the Trustee believes that confirmation of the Plan is in the best interest of Creditors and the Estate, regardless of the balloting of the Plan which failed to support plan acceptance permitting confirmation pursuant to 11 U.S.C. §1126(c), and

Whereas confirmation is being sought with the following amendments to the Plan based on the agreement of creditors as represented by the Trustee:

1. The Class 3 secured claim of Key Bank will waive some interest and other charges and reduce its claim to \$83,698.71 under the terms the claim will be amortized over 115 months with interest at 3.5% and a monthly payment of \$857.14 for a period of 60 months with a balloon payment of the balance due on the 60th month.
2. The Class 5 secured claim of Ally Bank with a payoff figure on February 23, 2021 of \$3,583.80 will be paid in full on the Plan Effective Date subject to a review of an accounting of interest and charges assessed since the bankruptcy filing by the Chapter 11 Trustee and subject to the reservation of the right by the Chapter 11 Trustee to object to any disputed interest or charges assessed.
3. The Class 6 secured tax claims of the Washington County Tax Claim based on its updated proof of claim filed at Claim 10-2 will be paid \$9,930.06 on the Plan Effective Date at an

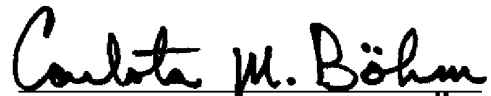
annual interest rate of 9% over 36 months in monthly payments of \$315.77. The liens secured by the Debtors' residence located at 531 Warrick Drive, Washington, PA 15301 will be retained while deferred cash payments are made under the Plan.

4. The Class 6 secured tax claims of the Pennsylvania Department of Revenue based on its objections filed at Docket No. 217 will be paid \$4,044.37 on the Plan Effective Date at an annual interest rate of 3% over 36 months in monthly payments of \$117.62. All statutory and judiciary liens created by the tax liability will be retained while deferred cash payments are made under the Plan.
5. The Class 7 secured priority claims of the Pennsylvania Department of Revenue based on its objections filed at Docket No. 217 will be paid \$2,309.84 on the Plan Effective Date at an annual interest rate of 3% over 36 months in monthly payments of \$67.17.
6. Jeffrey J. Sikirica, Esquire shall continue on as the Plan Disbursing Agent for the first 60 payments due under the Plan with compensation for fees and expenses to be assessed at 3% of the disbursement and to be paid at the time whenever a disbursement is made.

It is hereby **ORDERED, ADJUDGED, and DECREED**, that:

1. On or before **March 15, 2021**, any Creditor or other Party in Interest shall file its Objection to plan confirmation pursuant to the "cramdown" provisions of 11 U.S.C. §1129(b).
2. A Cramdown Hearing is scheduled for **April 14, 2021, at 2:30 P.M.** via the Zoom Video Conference Application ("Zoom"). To join the Zoom hearing, please initiate by using the following link 15 minutes prior to your scheduled hearing time: <https://www.zoomgov.com/j/16143800191>, or alternatively, attend by using the following Meeting ID: 161 4380 0191. **ALL HEARING PARTICIPANTS ARE REQUIRED TO APPEAR BY ZOOM AND SHALL REVIEW AND COMPLY WITH THE UNDERSIGNED'S ZOOM PROCEDURES**, which can be found at <https://www.pawb.uscourts.gov/sites/default/files/pdfs/cmb-proc-videohrg.pdf>.
3. On or before **April 7, 2021**, copies of all exhibits to be offered, including the necessary financial information in support of the claim for cramdown, shall be provided to the Court and any Party in Interest objecting to the cramdown.
4. Any memorandum of law in support of, or in opposition to, cramdown of the Plan shall be filed on or before **April 7, 2021**.

5. In the event no Objection is timely filed, upon the filing of a Certification of No Objection, this Court will consider entering an Order by default allowing for cramdown approval of the proposed Plan pursuant to 11 U.S.C. §1129(b). **SAID ORDER SHALL INCORPORATE THE AMENDMENTS TO THE PLAN SET FORTH HEREIN.**

  
Carlota M. Böhm glb  
Chief United States Bankruptcy Judge

FILED  
2/25/21 12:50 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDP

In re:  
Andrew F. Kuzy  
Colleen A. Kuzy  
Debtors

Case No. 18-21728-CMB  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Feb 25, 2021

User: gamr  
Form ID: pdf900

Page 1 of 3  
Total Noticed: 51

The following symbols are used throughout this certificate:

| Symbol | Definition   |
|--------|--|
| +      | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |
| ++     | Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).   |

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 27, 2021:

| Recip ID | Recipient Name and Address   |
|----------|--|
| db/jdb   | + Andrew F. Kuzy, Colleen A. Kuzy, 531 Warrick Drive, Washington, PA 15301-9513  |
| tr       | + Jeffrey J. Sikirica, 121 Northbrook Drive, Pine Township, Gibsonia, PA 15044-8983  |
| cr       | + Dep't of Revenue Office of Attorney General, Anthony T. Kovalchick, 1251 Waterfront Place, Mezzanine Level, Pittsburgh, PA 15222-4227                |
| 14824310 | + Account Recovery Services, Attn: Bankruptcy, 3031 N 114th St, Milwaukee, WI 53222-4218   |
| 14833237 | American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701   |
| 14824312 | + Amex, Correspondence, Po Box 981540, El Paso, TX 79998-1540  |
| 14877246 | + Barclays Bank of Delaware, PO Box 8803, Wilmington DE 19899-8803   |
| 14871365 | Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  |
| 14877263 | + Citibank, PO Box 6241, Sioux Falls, SD 57117-6241  |
| 14877252 | + Collection Service Center, PO Box 560, New Kensington PA 15068-0560  |
| 14877259 | + DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222 address filed with court:, DSNB/Macy's, PO Box 8218, Mason OH 45040-0000 |
| 14859671 | + Key Bank, N.A., 4224 Ridge Lea, Amherst, NY 14226-1016   |
| 14826403 | Key Bank, N.A., c/o Brian M. Kile, Esquire, Grenen & Birsic, PC, One Gateway Center, 9th Floor, Pittsburgh, PA 15222                                   |
| 14824317 | + Laura Keisling, Tax Collector, 550 Washington Road, Washington, PA 15301-9621  |
| 14871364 | State Farm Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  |
| 14824321 | Target, Target Card Services, Mail Stop NCB-0461, Minneapolis, MN 55440  |
| 14936329 | UPMC Health Services, PO Box 1123, Minneapolis MN 55440-1123   |
| 14936326 | UPMC Physician Services, PO Box 1123, Minneapolis MN 55440-1123  |
| 14877253 | + WHS Ortho Sports Medicine, 95 Leonard Avenue, Washington, PA 15301-3368  |
| 14875722 | + Washington Co. Tax Claim Bureau, 100 W. Beau St. Ste. 205, Washington, PA 15301-4483   |
| 14877244 | + Washington County Clerk of Courts, 1 S Main Street, #1005, Washington PA 15301-6813  |
| 14824323 | + Washington County Tax Authority, 100 W. Beau Street, Washington, PA 15301-4432   |
| 14877264 | + Workforce West Virginia, 112 California Avenue, Charleston WV 25305-0047   |

TOTAL: 23

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address                 | Date/Time            | Recipient Name and Address  |
|----------|--|----------------------|---|
| 14877255 | + Email/Text: g20956@att.com               | Feb 26 2021 00:59:00 | AT&T Mobility, PO Box 6416, Carol Stream, IL 60197-6416                     |
| 14826147 | Email/Text: ally@ebn.phinsolutions.com     | Feb 26 2021 00:58:00 | Ally Bank, PO Box 130424, Roseville MN 55113-0004                           |
| 14824311 | + Email/Text: ally@ebn.phinsolutions.com   | Feb 26 2021 00:58:00 | Ally Financial, Attn: Bankruptcy, Po Box 380901, Bloomington, MN 55438-0901 |
| 14877251 | Email/Text: Bankruptcy.RI@Citizensbank.com | Feb 26 2021 00:58:00 | Citizens Bank, 1 Citizens Drive, Riverside RI 02915-3019                    |
| 14824313 | Email/Text: Bankruptcy.RI@Citizensbank.com | Feb 26 2021 00:58:00 | Citizens Bank, Attention: ROP-15B, 1 Citizens Drive, Riverside, RI 02940    |
| 14877249 | + Email/Text: tvincequerra@chromeacu.org   | Feb 26 2021 00:59:00 | Chrome FCU, PO Box 658, Canonsburg PA                                       |

District/off: 0315-2

User: gamr

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Date Rcvd: Feb 25, 2021

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Total Noticed: 51

| Case Number | Action   | From       | Date                 | To   |
|-------------|--|------------|----------------------|--|
| 14877263    | + Email/PDF: Citi.BNC.Correspondence@citi.com          | 15317-0658 | Feb 26 2021 01:11:18 | Citibank, PO Box 6241, Sioux Falls, SD 57117-6241  |
| 14877250    | + Email/Text: Bankruptcy.RI@Citizensbank.com           |            | Feb 26 2021 00:58:00 | Citizens Auto Finance, 480 Jefferson Blvd., Warwick RI 02886-1359  |
| 14824314    | + Email/Text: RVSVCBICNOTICE1@state.pa.us              |            | Feb 26 2021 00:59:00 | Commonwealth of Pennsylvania, Department of Revenue, Bureau of Compliance Department 280946, Harrisburg, PA 17128-0001   |
| 14877254    | + Email/Text: bankruptcy@credencerm.com                |            | Feb 26 2021 00:59:00 | Credence Resource Mgmt, PO Box 2300, Southgate MI 48195-4300   |
| 14877256    | + Email/Text: bankruptcy_notifications@ccsusa.com      |            | Feb 26 2021 00:59:00 | Credit Control Services, 725 Canton St, Norwood MA 02062-2679  |
| 14877257    | + Email/PDF: creditonebknofications@resurgent.com      |            | Feb 26 2021 01:09:12 | Credit One Bank, PO Box 98873, Las Vegas NV 89193-8873   |
| 14877259    | Email/PDF: Citi.BNC.Correspondence@citi.com            |            | Feb 26 2021 01:09:27 | DSNB/Macy's, PO Box 8218, Mason OH 45040-0000  |
| 14877247    | Email/PDF: ais.chase.ebn@americaninfosource.com        |            | Feb 26 2021 01:12:52 | Chase BP, PO Box 15298, Wilmington DE 19850-0000   |
| 14877248    | Email/PDF: ais.chase.ebn@americaninfosource.com        |            | Feb 26 2021 01:12:52 | Chase Card Services, PO Box 15298, Wilmington DE 19850-0000  |
| 14824315    | + Email/Text: key_bankruptcy_ebnc@keybank.com          |            | Feb 26 2021 00:59:00 | Key Bank National Association, P.O. Box 94825, Cleveland, OH 44101-4825  |
| 14826402    | + Email/Text: key_bankruptcy_ebnc@keybank.com          |            | Feb 26 2021 00:59:00 | Key Bank, N.A., 4910 Tiedeman Road, Brooklyn, OH 44144-2338  |
| 14824316    | + Email/Text: PBNCNotifications@peritussservices.com   |            | Feb 26 2021 00:58:00 | Kohls/Capital One, Kohls Credit, Po Box 3043, Milwaukee, WI 53201-3043   |
| 14877258    | + Email/PDF: resurgentbknofications@resurgent.com      |            | Feb 26 2021 01:11:03 | LVNV Funding, LLC, PO Box 10497, Greenville, SC 29603-0497   |
| 14944079    | Email/PDF: resurgentbknofications@resurgent.com        |            | Feb 26 2021 01:12:54 | LVNV Funding, LLC its successors and assigns as, assignee of MHC Receivables, LLC and, FNB, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587 |
| 14828108    | Email/PDF: MerrickBKNotifications@Resurgent.com        |            | Feb 26 2021 01:09:11 | MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368  |
| 14877260    | Email/Text: M74banko@daimler.com                       |            | Feb 26 2021 00:59:00 | Mercedes Benz Financial Services, 13650 Heritage Valley Parkway, Fort Worth TX 76177-0000  |
| 14877261    | + Email/PDF: MerrickBKNotifications@Resurgent.com      |            | Feb 26 2021 01:12:52 | Merrick Bank, 10705 Jordan GTW, Ste. 200, South Jordan UT 84095-3977   |
| 14877262    | + Email/Text: bankruptcydpt@mcmcg.com                  |            | Feb 26 2021 00:59:00 | Midland Funding LLC, 2365 Northside Drive, Suite 300, San Diego CA 92108-2709  |
| 14824318    | Email/Text: Bankruptcy.Notices@pnc.com                 |            | Feb 26 2021 00:58:00 | PNC Bank, Attn: Bankruptcy Department, 6750 Miller Road; Mailstop Br-Yb58-01-3, Brecksville, OH 44141  |
| 14824319    | Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com   |            | Feb 26 2021 01:09:12 | Portfolio Recovery, Po Box 41067, Norfolk, VA 23541  |
| 14877059    | Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com   |            | Feb 26 2021 01:12:53 | Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  |
| 14825391    | + Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com |            | Feb 26 2021 01:12:53 | PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  |
| 14853033    | Email/Text: RVSVCBICNOTICE1@state.pa.us                |            | Feb 26 2021 00:59:00 | Pennsylvania Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg PA 17128-0946   |

District/off: 0315-2

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Date Rcvd: Feb 25, 2021

Form ID: pdf900

Total Noticed: 51

14824320 + Email/Text: home.sfbank-bankruptcynotice.083i01@statefarm.com

Feb 26 2021 00:58:00

State Farm Financial S, 1 State Farm Plaza,  
Bloomington, IL 61710-0001

TOTAL: 30

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

| Recip ID | Bypass Reason | Name and Address  |
|----------|---------------|---|
| cr       |               | PNC Bank National Association   |
| cr       | *+            | Key Bank, N.A., 4910 Tiedeman Road, Brooklyn, OH 44144-2338   |
| cr       | *+            | PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021   |
| 14877245 | *             | American Express National Bank, c/o Becket & Lee LLP, PO Box 3001, Malvern PA 19355-0701  |
| 14824322 | *P++          | DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222, address filed with court, Visa Dept Store National Bank/Macy's, Attn: Bankruptcy, Po Box 8053, Mason, OH 45040 |

TOTAL: 1 Undeliverable, 4 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 27, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 25, 2021 at the address(es) listed below:

| Name   | Email Address   |
|--|---|
| Anthony T. Kovalchick  | on behalf of Creditor Dep't of Revenue Office of Attorney General akovalchick@attorneygeneral.gov   |
| Brian Nicholas   | on behalf of Creditor PNC Bank National Association bnicholas@kmlawgroup.com  |
| Brian C. Thompson  | on behalf of Debtor Andrew F. Kuzy bthompson@ThompsonAttorney.com<br>blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.com        |
| Brian C. Thompson  | on behalf of Joint Debtor Colleen A. Kuzy bthompson@ThompsonAttorney.com<br>blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.com |
| Brian M. Kile  | on behalf of Creditor Key Bank N.A. bkile@grenenbirsic.com, mcupec@grenenbirsic.com;lstanger@grenenbirsic.com   |
| Jeffrey J. Sikirica  | on behalf of Trustee Jeffrey J. Sikirica trusteesikirica@zoominternet.net PA59@ecfbis.com   |
| Norma Hildenbrand, on Behalf of the United States Trustee by | on behalf of U.S. Trustee Office of the United States Trustee Norma.L.Hildenbrand@usdoj.gov   |
| Office of the United States Trustee                          | ustpregion03.pi.ecf@usdoj.gov   |

TOTAL: 8